

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

15-cr-632 (JGK)

JOSE HEBERTO ALVAREZ DENIS,

ORDER

**Defendant.**

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JOHN G. KOELTL, District Judge:

The defendant has filed a motion for compassionate release, attached here. The Government should respond by June 24, 2020. The defendant may reply by July 6, 2020. Chambers will mail a copy of this order to the defendant.

SO ORDERED.

Dated:      New York, New York  
                June 10, 2020

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/s/ John G. Koeltl  
John G. Koeltl  
United States District Judge

Jose HEBERTO ALVAREZ Denis  
Reg#:62211-054  
Low Security Correctional Institution  
ALLENWOOD  
P.O.BOX 1000  
White DEER, PA 17887

May 26, 2020

The Honorable John G. Koeltl  
Daniel Patrick Moynihan  
United STATES Courthouse  
500 PEARL STREET  
New York, N.Y. 10007

RE: U.S. v. Jose HEBERTO ALVAREZ Denis; 15-Cr-00632-(JGK-1)

Dear Judge KOELTL:

Please Accept this letter in lieu of a more informal motion for an Application for Compassionate Release, requesting a sentence of time served or immediate release to home confinement pursuant to 18 U.S.C. § 3582(c)(1)(A), 4205(g), and passage of the "Cares Act" of 2020, The Act Amended 18 U.S.C. § 3642(d)(2), to allow inmates to home confinement for an unlimited period of time, for inmate who have COVID-19 Risk Factors as established by the CDC.

Having now exhausted all administrative remedies (see, Exhibit Enclosed) based on a combination of circumstances including the Covid-19 Pandemic, and particularly the increase risk to Petitioner of Petitioner remains in prison while the Pandemic has struck the facility of Allenwood Medium and the Penitentiary where it has taken life in both places, and now can easily

Be Freezing at the Allenwood low Facility low where this Virus could seriously bring death unto Petitioner.

Petitioner Humbly and Respectfully believes that due to the above mentioned matter is eligible for immediate release to home confinement because of the covid-19 Risk Factor where it has taken already a couple of life from the neighbor Facility and probably knocking on Allenwood low if not already visiting but because of no Virus Exam has not yet been detected.

Petitioner is also requesting that the Honorable Court if necessary for further submission grant Petitioner a defense counsel.

Very Truly Yours,

ALVAREZ Jose H.

Jose Heberto Alvarez Denis

REG#: 62211-054

ALVAREZ, Denis  
Register No.: 62211-054  
Brady A  
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**Inmate Request to Staff Response**

This is in response to your correspondence to staff wherein you request to be released to Home Confinement.

Currently, Section 12003(b)(2) of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") grants discretion to the BOP to place inmates on home confinement for a longer term under 18 U.S.C. § 3624(c)(2). The BOP's discretion is guided by criteria listed in memoranda from the Attorney General.

After a comprehensive review of your circumstances, in accordance with the Attorney General's criteria, you are not eligible for home confinement placement. You have a detainer and you have served less than 50 percent of your sentence.

6 May 2020  
Date

  
\_\_\_\_\_  
D. K. White  
Warden

INMATE NAME/NUMBER: José Hernández Denis: Reg# 62211-034 FARRISBURG PA 171  
FEDERAL CORRECTIONAL COMPLEX-ALLENWOOD Low  
P.O. BOX 1000  
WHITE DEER, PA 17887

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INQASH  
EDENSON

The Honorable John G. Koeltl  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
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